

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DYSON, INC., an Illinois Corporation )  
   )  
   )  
Plaintiff,                                 )  
vs.   ) No. 08 CV 2068  
   )  
LINENS 'N THINGS, INC, a Delaware ) Judge: The Hon. Virginia M. Kendall  
Corporation,                             )  
   )  
Defendant.                                 )  
   )  
   )

**DEFENDANT LINENS 'N THINGS, INC.'S AGREED MOTION  
TO EXTEND THE DEADLINE TO FILE A RESPONSIVE PLEADING**

Defendant Linens 'N Things, Inc., ("LNT"), by its attorneys, with the agreement of Plaintiff Dyson, Inc. ("Dyson"), hereby moves the Court for an Order extending the deadline for LNT to file a responsive pleading by 10 days, to April 28, 2008. In support of the motion, LNT states as follows:

1. On April 11, 2008, LNT filed its Notice of Removal of this action, removing the case from the Circuit Court of Cook County to the Northern District of Illinois. Pursuant to Fed. R. Civ. P. 81(c), LNT is required to "answer or present other defenses" within "5 days after the notice of removal is filed." Under this Rule, LNT's responsive pleading is due April 18, 2008.
2. LNT seeks an extension of 10 days to file its responsive pleading, to April 28, 2008, in order to continue research into the factual allegations, its defenses, and other legal issues. With the extension, LNT's responsive pleading would be due on April 28, 2008. This is the first extension of the deadline for LNT to file its responsive pleading.
3. Counsel for Dyson has agreed to the extension.

WHEREFORE, Linens 'N Things, Inc. respectfully requests that the Court grant its *Agreed Motion to Extend the Deadline to File a Responsive Pleading by 10 days*, making LNT's responsive pleading due April 28, 2008.

Dated: April 16, 2008.

Respectfully submitted,

s/ Casey L. Westover  
Attorney for Defendant

Casey L. Westover (6276161)  
Reed Smith LLP  
10 South Wacker Drive  
Chicago, IL 60606-7507  
(312) 207-1000  
cwestover@reedsmit.com

Barry M. Golden  
Peter L. Loh  
Gardere Wynne Sewell LLP  
1601 Elm Street, Suite 3000  
Dallas, TX 75201  
(214) 999-4746  
ploh@gardere.com  
bgolden@gardere.com

**CERTIFICATE OF SERVICE**

I, Casey L. Westover, state that on April 16, 2008, I electronically filed the foregoing ***Agreed Motion to Extend the Deadline to File a Responsive Pleading*** with the Clerk of the Court using the ECF system which will send notification of such filings to the following:

Caroline C. Plater  
cplater@kelleydrye.com

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s/ Casey L. Westover  
Casey L. Westover